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10 | Attorneys for MH Sub I, LLC

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

## EXPRESS MOBILE, INC.,

Plaintiff,

V.

MH SUB I, LLC,

Defendant.

Case No. 3:19-CV-3352-RS

**STIPULATION AND ORDER  
MODIFYING CASE MANAGEMENT  
SCHEDULING ORDER (DKT. 32)**

1 IT IS HEREBY STIPULATED by and between Plaintiff Express Mobile, Inc. ("Express  
2 Mobile") and Defendant MH Sub I, LLC ("MH Sub") as follows:

3 WHEREAS, the Court entered a Case Management Scheduling Order on September 13,  
4 2019 (Dkt. 28);

5 WHEREAS, the Court entered a stipulation and order modifying the Case Management Scheduling  
6 Order on February 5, 2020 (Dkt. 32);

7 WHEREAS, in light of the COVID-19 pandemic, the parties have agreed that it would be  
8 mutually beneficial to modify the case schedule to allow the parties and their attorneys to  
9 accommodate evolving changes to living and working conditions, including changes resulting  
10 from state and city shelter-in-place orders, such as California's Executive Order, issued March 19,  
11 2020 and effective until further notice, mandating certain businesses to cease all activities except  
12 for Minimum Basic Operations. The parties will continue to work with each other to  
13 accommodate each other's needs which are directly caused by these unique circumstances that are  
14 currently impacting the Court, counsel, and the parties and, if necessary, will promptly notify the  
15 Court of any additional necessary schedule modifications;

16 WHEREAS, there has only been one schedule modification in this case;

17 NOW, THEREFORE, pursuant to Civil Local Rule 6-2, the parties hereby stipulate to the  
18 following modifications to the current Case Management Scheduling Order:

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1 Description	2 Current Deadline	3 Deadline
2 MH Sub I serves Invalidity Contentions and Document Production (LPR 3-3, 3-4)	3 3/18/2020	5/20/2020
4 Exchange of proposed terms for claim construction (LPR 4-1)	4 4/1/2020	6/4/2020
5 Exchange of proposed claim constructions and extrinsic evidence, including any expert reports for claim construction (LPR 4-2)	6 4/22/2020	6/22/2020
7 Express Mobile serves Damages Contentions (LPR 3-8)	8 5/6/2020	7/8/2020
9 Joint Claim Construction and Prehearing Statement and exchange of any expert rebuttal reports for claim construction (LPR 4-3)	10 5/13/2020	7/15/2020
11 MH Sub I serves Responsive Damages Contentions (LPR 3-9)	12 6/3/2020	8/3/2020
13 Completion of claim construction discovery (including depositions of any experts for claim construction) (LPR 4-4)	14 6/12/2020	7/13/2020
15 Express Mobile files Opening Claim Construction Brief (LPR 4-5(a))	16 7/1/2020	9/3/2020
17 MH Sub I files Responsive Claim Construction Brief (LPR 4-5(b))	18 7/15/2020	9/17/2020
19 Express Mobile files Reply Claim Construction Brief (LPR 4-5(c))	20 7/22/2020	9/24/2020
21 Claim Construction hearing	8/14/2020	10/16/2020 at 10:00 am

1 DATED: March 31, 2020

Respectfully submitted,

2  
3 By: /s/ Abirami Gnanadesigan  
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11 Attorneys for Defendant MH Sub I, LLC

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13 By: /s/ Jeffrey F. Craft  
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1731 Fox Springs Circle  
Newbury Park, California 91320

16 Attorneys for Plaintiff Express Mobile, Inc.

18 **SIGNATURE ATTESTATION**

19 Pursuant to Civil Local Rule 5-1(i)(3), I hereby certify that concurrence in the filing  
20 of this document has been obtained from each of the other Signatories shown above.

21 Dated: March 31, 2020.

22 By: /s/Abirami Gnanadesigan  
23 Abirami Gnanadesigan

1 PURSUANT TO STIPULATION, IT IS SO ORDERED.  
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5 Dated: 4/3/2020



6  
7 The Honorable Richard Seeborg  
8 UNITED STATES DISTRICT JUDGE

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